

FINAL BILL REPORT

2SHB 1188

C 438 L 05

Synopsis as Enacted

Brief Description: Negotiating state patrol officer wages and wage-related matters.

Sponsors: Representatives Murray, Woods, Conway, O'Brien, Ericks, Condotta, Wood, Simpson, Campbell, P. Sullivan, Lovick, Williams, Chase, Hinkle and Ormsby.

House Committee on Commerce & Labor

House Committee on Appropriations

House Committee on Transportation

Senate Committee on Transportation

Background:

Employees of cities, counties, and other political subdivisions of the state bargain their wages and working conditions under the Public Employees' Collective Bargaining Act (PECBA). The Washington State Patrol is also subject to the PECBA as the public employer of its appointed officers.

Under the PECBA, the employer and exclusive bargaining representative have a mutual obligation to negotiate in good faith over specified mandatory subjects of bargaining: grievance procedures and personnel matters, including wages, hours, and working conditions. With respect to negotiations between the Washington State Patrol and its appointed officers, the subjects of bargaining include wage-related matters, but negotiations are prohibited over rates of pay, wage levels, or matters relating to retirement benefits, health care, or other employee insurance benefits. If wage-related provisions are entered into before the Legislature approves the necessary funding, then these provisions must be conditioned on subsequent approval of the funds.

State Patrol officers and certain other law enforcement officers and fire fighters are considered "uniformed personnel." To resolve bargaining disputes involving these uniformed personnel, the PECBA requires binding interest arbitration if negotiations for a contract reach impasse and cannot be resolved through mediation.

Summary:

For the officers of the Washington State Patrol, subjects of bargaining include all wage and wage-related matters. However, negotiations over retirement benefits, health care, or other employee insurance benefits continue to be prohibited.

For the purpose of bargaining with state patrol officers, the state is the employer. The state is represented by the Governor or Governor's designee appointed under the Personnel System Reform Act of 2002. The Governor or Governor's designee must consult with the Chief of the Washington State Patrol regarding collective bargaining.

When negotiating wages and wage-related matters, the Governor's designee must also consult with a subcommittee of the Joint Employment Relations Committee (JCER). This subcommittee will consist of the JCER leadership members and the chairs and ranking minority members of the Senate Transportation Committee and the House Transportation Committee.

The Governor must submit a legislative request for funds necessary to implement the wage and wage-related matters in the collective bargaining agreement, or for legislation necessary to implement the agreement, if the requests have been submitted to the Office of Financial Management (OFM) by October 1 before the legislative session at which the request would be considered and the Director of OFM certifies the requests as financially feasible, or if the request reflects the decision of an arbitration panel.

If an impasse in negotiations results in an arbitration award, that decision is not binding on the Legislature. If the Legislature does not approve the funds necessary to implement the wage and wage-related matters of an arbitrated collective bargaining agreement, the arbitration decision is not binding on the state or the Washington State Patrol.

Votes on Final Passage:

House	96	0	
Senate	48	0	(Senate amended)
House			(House refused to concur)
Senate	46	0	(Senate amended)
House	98	0	(House concurred)

Effective: July 24, 2005